

OPERATIONS POLICIES

SERIES 400

*[This template is one section of a five-part Charter School Policy Series.
For general instructions, refer to the [Series Introductory Notes](#)]*

OPERATIONS POLICIES AND PROCEDURES

400. FACILITIES AND GROUNDS	3
400.1. Buildings and Grounds Regulations	3
400.2. Community Use of School Facilities	3
400.2.1. Regulations	4
400.2.2. Procedures	4
400.2.3. Charges	4
400.4. Disposition of School Property	4
400.5. Equipment Use	5
400.6. Facility Changes and Construction	5
400.5.1. Alterations	5
400.5.2. Construction	5
400.5.3. Repair	5
400.5.4. Disability Compliance	5
400.7. Fire Prevention	5
400.8. Maintenance	6
400.9. Traffic and Parking on School Property	6
400.10. Vandalism, Theft, and Building Damage	6
401. FINANCE	6
401.1. Fiscal Management	6
401.2. Fiscal Year	7
401.3. Annual Budget	7
401.4. Accounting System	7
401.5. Depositories	7
401.6. Internal Fiscal Procedures	7
401.6.1. Reference Documents	7
401.6.2. Record Handling Instructions	8
401.6.3. Invoices	8
401.6.4. Reports	8
401.7. Field Trip Monies	8
401.8. Purchasing	9
401.8.1. Purchasing Authority	9
401.8.2. Purchase Orders and Contracts	10
401.8.3. Receiving and Inspecting	10
401.8.4. Vendor Relations	10

401.9. Insurance and Bond Coverage	10
401.10. Financial Audits	11
402. MISCELLANEOUS	11
402.1. Awards and Scholarships	11
402.2. Distribution of Materials by Non-Students	11
402.3. Indexing of Computer Databases	12
402.4. Outside Advertising	12
402.5. Public Complaints and Concerns	12
402.6. Public Records Requirements	12
402.6.1. Exempt and Confidential Documents	13
402.6.2. Destruction of Public Records	13
402.6.3. Sales and Solicitation in School	13
403. SCHOOL-WIDE GRIEVANCE, APPEALS, AND HEARING PROCEDURES	13
Appendix 1 - Schoolwide Grievance Procedures and Form	15

OPERATIONS – POLICIES AND PROCEDURES

400. FACILITIES AND GROUNDS

400.1. *Buildings and Grounds Regulations*

The Board shall ensure the School complies with federal and state safety rules and regulations applicable to buildings and grounds.

The School shall provide a safe working and learning environment, in part, by establishing appropriate safety procedures to protect School students, employees, and visitors. All students, employees, and visitors shall adhere to all safety procedures at all times while on School grounds.

All School personnel shall be immediately report to the Principal any occupational injury or illness, safety hazard, unsanitary condition, damage to School property, or needed repair.

400.2. *Community Use of School Facilities*

[THE BOARD MUST DECIDE IF AND WHEN IT WILL MAKE SCHOOL FACILITIES AVAILABLE TO GROUPS AND TO THE PUBLIC. THE LAW GENERALLY REQUIRES EQUAL TREATMENT—IF MADE AVAILABLE TO ONE GROUP, IT MUST BE MADE AVAILABLE TO OTHER GROUPS, WITHIN REASONABLE GUIDELINES. THE BOARD MAY DECIDE NOT TO OPEN THE SCHOOL UP TO ANY REQUESTS. THIS IS EASIER TO MANAGE BUT DENIES A SERVICE TO THE COMMUNITY AND FUNDING FOR THE SCHOOL. THIS POLICY TEMPLATE ALLOWS FOR PUBLIC AND GROUP USE.]

The Board recognizes the community's capital investment in School buildings and facilities and believes such facilities should be used for legitimate community purposes.

Therefore, outside groups may use available School facilities for educational, civic, cultural, recreational, and related purposes, provided such use does not threaten the School or its mission and complies with all applicable laws, ordinances, and School policies and requirements. Denial of facility use will not be based on an applicant organization's viewpoints but on whether its use is consistent with the School's purposes and rules for offering the facility to outside groups.

School properties may be made available for community use as provided below:

1. School programs' needs and requirements shall receive first consideration when assigning School facilities.
2. School-related organizations shall be given priority over non-School-related organizations.

3. Approved School youth groups shall be given consideration over community adult groups.

The use of School facilities must be consistent with the School's mission, purposes, and best interests, must not conflict with regular School programming, and must be consistent with School policies regarding proper conduct in the School community. The Principal or his designee may establish any other necessary rules or procedures to carry out this policy and to comply with all applicable legal requirements.

A facility use fee schedule shall be prepared by the Principal and approved by the Board.

400.2.1. Regulations

The user must adhere to the current stipulations governing the use of the facilities and may be held financially responsible for any damage to School buildings, grounds, or equipment that occurs during such use.

School facilities shall not be used for activities that clearly contradict the educational or civic values that the School is responsible for inculcating in its students. Activities may not injure School community members, School property, or the School's reputation or mission. The School reserves the right to restrict or deny facility use when such use involves purposes or expressions not protected by law.

No group may be granted permission to use a School facility for a period of longer than one year. After each year of use, a group wishing to continue using such property will be required to submit a new application.

400.2.2. Procedures

Individuals or organizations desiring to use School facilities may be required to file an application and other materials required by the Principal.

The Principal shall review any application and determine whether the use is acceptable under School guidelines.

400.2.3. Charges

Reasonable charges will be fairly and consistently assessed for any public use of School facilities.

400.4. *Disposition of School Property*

When the Board determines that any School-owned real or personal property is no longer suitable or necessary for School purposes, the Board may dispose of the property as provided by law.

400.5. Equipment Use

Equipment and materials purchased for the School are not to be used for private purposes except at the Principal's discretion when such use primarily serves School purposes or is in conjunction with School facilities' rental or use under this policy.

400.6. Facility Changes and Construction

400.5.1. Alterations

The Board shall approve any substantive alterations to School equipment or facilities, which include changing the School's existing wiring, carpentry, plumbing, or other structural systems.

400.5.2. Construction

All new School construction shall be completed in accordance with the Americans with Disabilities Act and other accommodation laws to ensure disabled individuals are readily able to access and use the facilities according to their legal rights.

400.5.3. Repair

The Principal (or designee) shall periodically review the School's facilities, services, programs, and activities to ensure accessibility to disabled persons (when each service, program, and activity is examined in its entirety).

400.5.4. Disability Compliance

If the Board determines a facility, service, program, or activity is not legally accessible to disabled persons, it shall take appropriate remedial actions, including altering a building, service, program, or activity, unless such remedial action would result in a fundamental change in the nature of the service, program, or activity, or present the Board with an undue financial burden.

400.7. Fire Prevention

The Principal or his designee shall ensure compliance with the following fire hazard procedures:

1. Ensure that all corridors, halls, and tower stairways used for exiting the building are kept clear of anything that could interfere with building occupants' safe and orderly exodus. This includes but is not limited to, restricting the use of corridors, walls, and tower stairways for storage.
2. Ensure that all exit doors are kept in good working condition and that all doors required for building occupants' prompt and orderly exodus are kept unlocked at all times while the building is in use.
3. Prohibit changes in electrical wiring in any School building or structure unless they are authorized by the Board, in accordance with Board policy, and performed by a licensed electrical contractor.
4. Ensure that any combustible materials required for the School's instructional purposes or operation be stored in a safe and orderly manner, including providing a well-ventilated place to store any oily rags, mops, or other supplies that present spontaneous combustion risks.

5. Ensure the regular removal of all the School building's trash and rubbish to prevent its accumulation in the School attic, basement, or elsewhere on School premises.
6. Inspect Schools buildings periodically during the regular School session to ensure they are free from trash accumulation and other fire hazards. The inspections shall include cafeterias, gymnasiums, boiler rooms, storage rooms, auditoriums, and stage areas, and all classrooms.
7. File a report each month during the regular School session detailing the date of the last fire drill, the time required to evacuate each building, that inspections have been made as prescribed by law, and any other information as deemed necessary for fire safety by state and local regulation.
8. Cooperate fully with the authorized building inspector, electrical inspector, county fire marshal, and other government officials in making the inspections required by law, and notify the Board of the failure of any such inspection.
9. Notify the Board of all recommendations resulting from inspections so that the Board may undertake appropriate corrective actions to make the necessary corrections.

400.8. Maintenance

The Board shall be responsible for maintaining and protecting the School's building and grounds in a safe and appropriate condition for use at all times. The Board shall also maintain all appropriate records in connection with this duty.

400.9. Traffic and Parking on School Property

The Principal or the Board may issue rules and procedures for safe traffic and parking operations. School roads' and parking lots' speed limit shall be ten miles per hour. Traffic calming devices, such as speed bumps, may be installed on School property as the Principal or Board deem necessary. The Board shall not be liable or responsible for damage to cars or other vehicles in operation or parked on School property.

400.10. Vandalism, Theft, and Building Damage

Vandalism is the willful destruction of School property, equipment, or materials. School personnel shall report, in writing, to the Principal any instance of forceful entry onto School property or into any School building. In the event that forced entry results in school property theft or damage, the Principal and other School personnel shall determine the losses.

401. FINANCE

401.1. Fiscal Management

As trustee of community, state, and federal funds allocated for use in local education, the Board has the responsibility to protect these funds and to use them wisely. The Board shall establish procedures that promote efficient, accurate, and effective fiscal management. To this end, the Board endeavors to

1. Encourage advanced planning by using sound budgeting and financial practices;
2. Explore all practicable and legal revenue streams;
3. Use School resources to maximize educational benefits;

4. Ensure efficient and accurate accounting and reporting procedures;
5. Maintain the per pupil expenditure required to provide high-quality education; and
6. Ensure that the School's fiscal affairs are conducted in strict compliance with the law.

401.2. Fiscal Year

The fiscal year shall begin July 1 each year and conclude June 30 of the succeeding calendar year.

401.3. Annual Budget

Budget planning shall be a year-round process that encourages input from administrators, teachers, other School personnel, and School community members.

The School's Budget Committee shall prepare and submit an annual budget, along with a budget message, to the Board no later than one week prior to the Annual Board meeting.

Upon receiving and reviewing the Budget Committee, the Board shall make changes therein as it deems advisable. If the Board chooses to hold a public hearing on the proposed budget prior to final action, it shall occur at the Annual Board Meeting.

401.4. Accounting System

The School shall establish and maintain a financial accounting and reporting system designed to track the School's assets, liabilities, equities, revenues, and expenditures using the modified accrual basis of accounting. The system shall be designed to show appropriations and estimated revenues as established in the budget resolution as originally adopted and subsequently amended.

401.5. Depositories

The Board shall designate one or more North Carolina banks, savings and loan associations, or trust companies as official School depositories. No money belonging to the School shall be deposited in any other place, bank, savings and loan, or trust company other than an official depository.

401.6. Internal Fiscal Procedures

These procedures define the processes for controlling and disposing invoices, reimbursing employees, bank statements, and payroll.

401.6.1. Reference Documents

Relevant reference documents may include any of the following:

1. Policies and Procedures Manual
2. Accounting Inventory
3. Monthly Bank Statements
4. Payroll Schedules
5. Employee Payroll Worksheet
6. Employee Payroll Change Log
7. Employee Absenteeism Record

8. Monthly Budget Report
9. ISIS General Ledger Check Register
10. Interim Budget Update
11. School Budget Resolution

401.6.2. Record Handling Instructions

The School's accounting office or firm will maintain, on-site, all financial records generated from executing these procedures, in accordance with proper protocols for preparing an annual audit or as otherwise determined necessary by the Board.

401.6.3. Invoices

The following procedures shall apply regarding invoicing:

1. The Principal will inventory all invoices to ensure the receipt of all purchased services or products.
2. All invoices shall be reviewed and approved prior to being forwarded to the School accounting service.
 - a. The Principal shall review and approve invoices of \$1,000.00 or less.
 - b. The Board Treasurer, must review and approve, by his initials on the invoice, invoices of between \$1,000.00 and \$5,000.00.
 - c. The Board must review and approve, by vote, invoices of and over \$5000.00.
3. Principal must approve, in writing, all employee purchase or travel reimbursements prior to submission to the School accounting service for payment.
4. The School accounting service will not process incomplete invoices until it receives all appropriate documentation from the School.

401.6.4. Reports

The School accounting service will submit the Monthly Budget Report to the Board at its regularly scheduled monthly meetings. Additionally, the School accounting service will present all ISIS General Ledger and Payroll Check Registers to the Board Treasurer to verify these monthly expenditures match the check registers. The Principal will receive an Interim Budget Update on an "as requested" basis. As granted by any School Budget Resolution, the Principal shall have the authority to reallocate budgeted amounts as specified in such resolution guidelines. Any excess beyond such resolution guidelines must be approved by the Board prior to the School accounting service adjusting the budget and disbursing funds.

401.7. Field Trip Monies

[NOTE: This policy does not affect money collected for School events or supplies paid for by the School.]

Every teacher and teacher's assistant ("TA") that collects money for any grade level events, i.e., field trips, transportation, etc., is required to follow this policy without exception. Failure to follow this policy may subject staff members to disciplinary action, up to and including dismissal.

1. Each teacher will be given a receipt book with duplicate receipts. Each time a teacher or TA collects money from a student, parent, or guardian, an originally-written receipt is to be given to the student, parent, or guardian, and a duplicate copy is to be retained by the teacher or TA along with the money collected.
2. All money must normally be collected at least two weeks prior to any field trip, allowing any checks to be deposited and cleared by the bank prior to the trip.
3. Each day that money is collected, the teacher or TA must submit it to the School finance officer according to the following procedures:
 - a. The teacher or TA shall calculate the total money collected, record the total on the receipts, and ensure the receipt amount and actual money collected match.
 - b. Upon submission to the finance officer, the money shall be counted immediately in the teacher's or TA's presence to verify the total amount submitted. If time constraints prevent the immediate verifying of the amount submitted, the money shall be placed in a sealed envelope, deposited with the finance officer, and verified as soon as practicable thereafter.
 - c. The finance officer shall give the teacher or TA, who turns in the money a receipt with the total money collected, and the teacher or TA must keep this receipt for his/her records. All receipts should be kept in a safe, secure place for the School year.
 - d. No money is to be left in a classroom overnight, even if the classroom is locked.
4. Field trip and other special activity checks shall be made payable to the School Special Funds Account only.
5. After all money is collected, it shall be timely deposited in the School Special Funds Account.
6. If a bank for any reason returns checks, the student's teacher or TA is responsible for contacting the parent or guardian and collecting the funds to be re-deposited. Staff must follow the same procedures for writing and maintaining receipts and copies for any funds collected and re-deposited.
7. Immediately prior to a field trip, as feasible, the finance officer shall write a check to the vendor for the amount collected and deposited. Staff should keep this copy in a safe, secure place for the School year.

401.8. Purchasing

401.8.1. Purchasing Authority

The Principal, in accordance with state law and sound purchasing practices, shall oversee all purchasing authority and purchasing-related activities. The School finance officer shall ensure that proper records are maintained for all purchases.

401.8.2. Purchase Orders and Contracts

Official Purchase Orders shall be required for all purchases that the School is responsible for paying. Such orders, like all contracts, shall also be properly approved and executed and must contain the following wording:

No indebtedness of any kind incurred or created by the School shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of School shall involve or be secured by the State's or its political subdivisions' faith, credit, or taxing power.

Unauthorized purchase orders are illegal and may cause the individual making the unauthorized order or contract to assume personal responsibility. Creditors are on notice that any order or contract not properly authorized by School officials may not be honored.

401.8.3. Receiving and Inspecting

Personnel responsible for purchasing shall establish and maintain appropriate receiving procedures for all supplies, materials, and equipment.

Personnel responsible for receiving delivered items shall:

1. Inspect the item and have ready access to item specifications;
2. Be responsible for determining that the items received are in good quality condition;
3. Actually, count the quantity delivered and enter that count in the receiving document; and
4. Submit deficiency and complaint reports as necessary.

401.8.4. Vendor Relations

In all procurement activities, employees and agents of the Board shall:

1. Represent the School's and its educational programs' best interests;
2. Endeavor to maximize the value of each dollar spent for the School;
3. Give all responsible bidders equal consideration and use unbiased judgment in determining which products and services best meet the School's specifications and needs;
4. Discourage vendors or potential vendors from offering gifts of more than nominal value and decline any such gifts they offer; and
5. Accord a prompt and courteous reception, insofar as conditions permit, to all who call on the appropriate purchasing office or officer, with the written permission of the Board President or Principal, on legitimate business interests.

401.9. Insurance and Bond Coverage

The Board shall purchase insurance, as it deems necessary or otherwise required by law. The Principal or his designee shall be responsible for managing all such insurance-related policies, programs, and services.

The Board shall purchase the insurance necessary to safeguard the School's real and personal property assets reasonably. Insurance policies and policy provisions to be considered include those covering error & omissions, general liability, boiler and machinery, auto liability, workers' compensation, and fidelity bonds for finance and other School officials. When the School's individual employees or volunteers must purchase insurance to carry out their School functions, the School shall compensate them for such insurance relative to such coverage's cost.

401.10. *Financial Audits*

The Board shall select a qualified accounting and auditing firm certified to perform charter school audits, including that of the School retirement plan. The audit contract shall be in writing, include all necessary terms and conditions, and shall be submitted to the State Department of Public Instruction for approval concerning its form, terms, and conditions. The audit contract's terms and conditions shall include the audit's scope, require the auditor to prepare a printed report containing all financial statements and be conducted using generally accepted accounting principles.

The auditor shall conduct the audit and report the results directly to the Board as soon as feasible after the fiscal year's end. A copy of the audit shall also be filed with the State Department of Public Instruction and the Department of Revenue. The auditor should also submit all bills or claims for audit fees and costs to the Board for approval.

All School officers, and employees having custody of public money or fiscal record-keeping responsibilities shall produce all books, records, and financial information that the auditor requests. No Board member or any other School officer, employee, or agent shall conceal, falsify, or refuse to deliver or divulge any books, records, or information, with intent thereby to mislead the auditor or impede or interfere with the audit.

402. MISCELLANEOUS

402.1. *Awards and Scholarships*

Any award or scholarship that is awarded in the School's name or is associated with the School shall be awarded in a fair and legal manner.

402.2. *Distribution of Materials by Non-Students*

Except as otherwise provided by School policy, persons who are not students may not distribute any materials at the School or at School activities. However, materials directly related to the subject of a School-sponsored activity may be distributed if approved by the Principal or his designee.

The Principal may allow or develop rules that allow limited distribution to students of materials that address educationally beneficial activities, events for students, or events which directly promote the School's mission.

Nothing in this policy shall be construed to create an open or limited open forum that would allow persons other than students to access School property for the purpose of distributing materials or engaging in speech not appropriate in a closed forum.

402.3. *Indexing of Computer Databases*

All School computer databases are to be indexed as required by state law and relevant guidelines of the North Carolina Division of Archives and History.

402.4. *Outside Advertising*

No person shall distribute commercial advertisements or other promotional materials on campus unless they relate to an approved School promotion, are contained in School-sponsored publications or productions, and are approved by the Principal or his designee.

402.5. *Public Complaints and Concerns*

The Board takes all complaints concerning the School, its employees, and its operations very seriously. Any School community member with a complaint or concern should make a good faith effort to solve the problem by taking the following informal steps as the situation warrants:

1. Complaints involving a School employee's performance should first discuss it with the employee, if practicable. If such a discussion does not resolve the matter, the complaint should be referred to the employee's immediate supervisor for resolution.
2. Complaints involving School facilities' or programs' quality should first be discussed with the School employee in charge of the program/facility in question.
3. Complaints involving the implementation of Board policy should first be directed toward or discussed with the person responsible for implementing the policy.

If informal action does not remedy the situation, a formal complaint may be filed in accordance with School grievance procedures contained in these policies.

402.6. *Public Records Requirements*

A public record, as defined by state law, is any record, in any form, whether hard copy or electronic, that a School "made or received pursuant to law or ordinance in connection with the transaction of public business" unless it is otherwise protected or exempted from public disclosure by federal or state law, including, but not limited to, student records under the Federal Educational Rights and Privacy Act (FERPA) and the North Carolina public records law (G.S. 132-1 through 132-9). A copy of the North Carolina law is available at:
https://www.ncleg.gov/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_132.html

The Principal or his designee shall serve as the School's public records custodian to ensure compliance and proper review of all public records policies, practices, and requests. When a record request is received, the Principal should notify the School's legal counsel.

The School shall, as promptly as possible, respond to all records requests. The School shall make such public records available in a reasonable time and manner and at a reasonable production cost. The School is only required to provide access to such records in the form in which the School maintains them. Any denial of a records request and the reasons therefore shall also be in writing.

402.6.1. *Exempt and Confidential Documents*

The School and its employees will protect the confidentiality of all documents that are not available to the public. In instances involving records containing public and confidential information, the School shall redact confidential information from any records made available.

Among the documents specifically exempted under North Carolina's public records law are the following:

1. Documents made within a three-year period pursuant to communications protected by attorney-client privilege;
2. Address Confidentiality Program Information: a program participant's actual address and telephone number, as established under Chapter 15C of the General Statutes, may not be disclosed except as provided in Chapter 15C of the General Statutes;
3. Controlled Substances Reporting System Information: Information compiled or maintained in the Controlled Substances Reporting System established under Article 5E of Chapter 90 of the General Statutes;
4. Social security information as prescribed by law;
5. Confidential student records, as described below;
6. Confidential employee records, as described below;
7. Closed Board sessions' minutes, records pertaining to matters as may be discussed in closed Board sessions, and such other records as may be required to be kept confidential by law or as may be exempt from disclosure.

402.6.2. Destruction of Public Records

The School shall comply with all state and federal record-keeping requirements and any applicable Records Retention and Disposition Schedules issued by the North Carolina Department of Cultural Resources, Division of Archives and History. The Principal or his designee may establish additional procedures for maintaining and destroying School records in accordance with the approved schedules.

402.6.3. Sales and Solicitation in School

Except as provided elsewhere by School policy, distributing publications and selling goods or services is prohibited on School grounds during the School day and at School activities, if the materials are unrelated to instruction or a School-sponsored activity. Materials directly related to the subject of a School-sponsored activity may be distributed with the prior approval of the Principal.

403. SCHOOL-WIDE GRIEVANCE, APPEALS, AND HEARING PROCEDURES

Any school community member is entitled to pursue any type of grievance covered under the School's "Grievance Process and Appeals of Administrative Decisions Policy" (Policy). [INDICATE POLICY REFERENCE # HERE. IN ADDITION, CONSIDER ADDING THE POLICY'S FULL HYPERLINK ADDRESS IF THE GRIEVANCE POLICY IS ONLINE; ALSO, OR ALTERNATIVELY, CONSIDER APPENDING THAT POLICY TO THIS SECTION, WITH AN EXPLANATORY NOTE.]

Grievances not covered by that policy are not entitled to procedural protection and should be addressed informally and respectfully, as necessary.

Appendix 1 - Schoolwide Grievance Procedures and Form

Grievance Process and Appeals of Administrative Decisions

A. Introduction and Objectives. The School seeks to provide a process by which students, parents, and staff can resolve concerns in a timely and effective manner while balancing this with the need for efficient and effective School operations. Toward this end, this policy establishes mechanisms by which grievances should be addressed through informal and, if appropriate, formal means. All references herein to the Director include any person assigned as the Director's designee.

B. Informal Grievance Procedure. All concerns should first be addressed directly and informally with the persons involved. This includes reasonably notifying those causing and involved in the grievance, allowing them to respond reasonably, and an opportunity to make good faith efforts toward resolution. If necessary, individuals involved are encouraged to seek the assistance of an objective party to assist with informal resolution.

C. Formal Grievance Procedure. Persons must seek informal, timely resolution before filing a formal grievance unless doing so is not reasonably feasible, would be futile, or if formal grievance procedures are legally required. The grievant may then file a formal grievance with the Director within ten school days after the last informal attempt at resolution; if informal resolution is not required, the grievant shall file the grievance within ten school days of the last instance causing the grievance.

The formal procedure shall be initiated by submitting to the Director a written request for redress that succinctly states the specific grievance(s), the supporting facts, the basis in Board policy or law (citing specific policies or laws), the requested relief, and the efforts made to resolve the matter informally. The Director may require the submission of an approved form for such grievance filing.

The Director shall determine whether informal resolution requirements have been satisfied or are not required. If the Director determines that the grievant is entitled to a formal grievance process, he shall provide a copy of the formal grievance to all other persons implicated by the grievance. The Director shall reasonably investigate and consider the matter (which may include meeting with the parties involved and holding an informal hearing) and issue a decision within ten school days from the date the grievance is filed; additional time for the Director's decision shall be allowed when reasonably required by circumstances. All deliberations shall be held in confidence where feasible and involve only persons in a need-to-know position.

D. Appeals of Right to the School Board Hearing Panel. A grievant or affected party has the right to appeal any administrative decision by the Director affecting a constitutional or other legal interest, and an interest of the type listed below:

- a. Suspension or expulsion of a student for more than 10 days (per School suspension and expulsion procedures required by Chapter 115C, Article 27 of the North Carolina General Statutes);
- b. An alleged violation of a specified federal or state law or regulation;
- c. The loss or reduction of the salary of a school employee under a specific-term contract who is not employed at will; or
- d. Any other decision that, by law, provides for a right of appeal to the School Board and for which there is no other statutory appeal procedure.

Any person seeking a hearing under this section, within 10 school days after an administrative decision by the Director, may request a Board hearing, by submitting to the Board Chairperson a request in writing by any reasonable means of notice such as certified mail, email, or personal delivery. The person(s) making such request shall also promptly deliver a copy of the hearing request to the Director. The Board of Directors shall notify the person making the request of the time, place, and manner of the hearing.

E. Discretionary Appeals to the Board (no right of appeal). Any person aggrieved by a decision not involving a matter addressed in Section D may, within 10 school days after a decision or recommendation by the Director, request a Board hearing, by submitting to the Board Chairperson a request in writing by any reasonable means of notice such as certified mail, email, or personal delivery. The person making such a request shall also promptly deliver a copy of the hearing request to the Director. In such cases, the Board has the discretion to deny or grant a hearing. The Board of Directors shall notify the person making the request and the Director of its decision, and if a hearing is granted, the time, place, and manner of such hearing.

F. Board Hearing Procedures. In all appeals to the Board, the Board shall provide adequate notice of hearing rights and procedures to all parties concerned and keep a record of any hearing conducted.

1. **In the case of hearings required by right (Section D)**, all parties have the right to a formal hearing, including the right to appear, to be represented by counsel or other representatives, to submit documentation, and to examine and cross-examine witnesses reasonably. Hearings involving student suspensions or expulsions shall additionally conform to the requirements of Article 27 of the North Carolina General. In the case of an employee grievance concerning a loss or reduction of salary, the employee may request and shall be entitled to receive reasonably detailed written notice as to the reasons for the administrative decision or recommendation; the notice shall be provided to the employee at a time reasonably in advance of any Board hearing.

2. **For all discretionary hearings (Section E)**, a hearing may be informal (e.g., based on written documentation and briefs), or formal (e.g., involving the personal appearance of the parties, formal presentation of evidence, etc.). In such cases, the Board retains the discretion to determine a fair and reasonable procedure for such a hearing. The Board may also authorize the Director or an appointed hearing officer or panel acting on behalf of the Board to render a non-appealable final decision.

3. For any formal hearing (i.e., one that allows or requires personal appearances and presentation of evidence), the hearing may be conducted by the Board, the Director (if the Director has not made the initial decision or recommendation), or by a person or group of persons appointed by the Board to serve as a hearing officer or hearing panel. The Board shall appoint any individual to serve as a hearing officer or on a hearing panel who is under the direct supervision of the administrator recommending suspension or expulsion.

4. If a hearing is conducted by an appointed hearing officer or hearing panel, such officer or panel shall determine the relevant facts and credibility of witnesses based on the evidence presented at the hearing. Following the hearing, the Board or Director (if the Director has not made the initial recommendation) shall render a decision; in so doing, the decision-maker shall adopt the hearing officer's or panel's factual determinations unless they are not supported by substantial evidence in the record.

Furthermore:

- a. **if the hearing is by right (Section D)**, the petitioner shall have the right to appeal the decision to the full board. If the issue involves a student suspension or expulsion, the hearing shall also accord with additional requirements of G.S. 115C, Article 27 (115C-390.1 *et seq.*);

or

- b. **if the hearing is discretionary (Section E)**, the decision shall constitute a final decision, not appealable to the full board.

Subject to any other more restrictive legal requirements (e.g., student suspensions/expulsions), hearings should be conducted in a reasonably prompt and efficient manner, normally within ten school days from the date the hearing is requested unless circumstances necessarily require or the parties agree to extend the time. A final decision should be rendered and delivered in writing to the respective parties within five school days or as otherwise legally required.

School Grievance Form

This administrative form is to be used in conjunction with the School's Grievance Procedure (GP) for each formal grievance. The Grievant(s) should carefully review and follow those procedures, beginning with reasonable efforts for informal resolution. Failure to follow those procedures and their timelines may constitute a waiver of rights.

I. **Grievant Information** (To be completed by Grievant(s); be concise and use additional pages only if necessary.)

A. Name of Grievant(s) and Status (i.e., parent, employee):

B. Individual(s), if any, against whom grievance filed:

C. Brief description of grievance (100 words or less; you may also attach a full statement to this document):

D. Identify specific law(s), policy(ies) or rule(s) violated, and how:

E. Informal efforts taken to resolve grievance (§B of Grievance Procedures):

F. Primary evidence upon which Grievance relies (e.g., witness testimony, documents, other):

G. Requested resolution:

The undersigned Grievant(s) hereby affirm that the foregoing information is true to the best of his/her/their knowledge and submitted in good faith in accordance with the School's grievance procedures. Please note that a Grievant may be asked to submit a signed Affidavit under oath.

Signed Name

Date

Signed Name

Date

Authorized School Official/Grievance Facilitator (Print)

Received Date